



**RESPONSE UNDER 37 C.F.R. § 1.116  
Expedited Examining Procedure  
Examining Group 2653**

PATENT  
ATTORNEY DOCKET NO.: 040894-5644

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Osamu KASONO et al. ) Confirmation No. 1542  
Application No.: 09/813,306 ) Group Art Unit: 2653  
Filed: March 21, 2001 ) Examiner: Kim Kwok Chu  
For: OPTICAL HEAD APPARATUS )

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop AF**  
Randolph Building  
Alexandria, VA 22314

Sir:

**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated September 8, 2004, finally rejecting claims 2-8.

03/09/2005 AWONDAF1 00000065 500310 09813306

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1. Extension of Time

A Request for a three-month Extension of time and the extension of time fee of **\$1020.00** are being filed concurrently herewith. If an additional extension of time is required, please consider this a Petition therefor.

2. Notice of Appeal Fee - 37 C.F.R. § 1.17(b)

The Commissioner is authorized to charge the appeal fee of **\$500.00** to Deposit Account No. 50-0310.

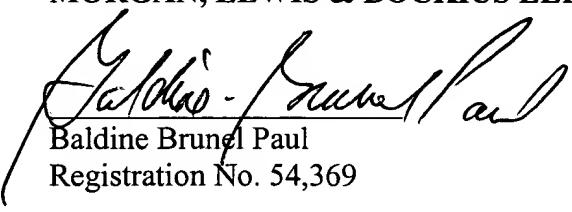
3. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: March 7, 2005

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